

TENNESSEE
DEPARTMENT OF CORRECTION



INMATE RULES AND REGULATIONS
December 2014

A.

INTRODUCTION

This handbook is designed to provide you with general information about the Tennessee Department of Correction (TDOC) policies that apply to you as well as the Department's expectations of you during your incarceration. The contents of this handbook will be fully discussed with you during your orientation, and I encourage you to seek clarification when you have questions or are unclear about something.

All inmates in the TDOC are responsible for understanding and abiding by the rules, regulations, and policies detailed in this handbook; thus, it is important to read this information very carefully and have an understanding about your responsibilities. Obeying the rules and policies can have a positive effect on your time in prison. I also encourage you to become familiar with the many programs and services available to you within the Department. Your participation in programs can be a positive experience for you and provide you with assistance for your time in prison as well as better prepare you for reentry back to your home and community.

It is important that you keep this handbook in your possession as you will not be issued additional copies. Rule changes or policy changes that affect you will be made available as they occur. When you have questions about any changes, it is recommended that you get with your counselor and/or unit manager to explain your concerns and questions.

While this handbook gives information about the Department's policies, procedures, and rules, it may not answer all of your questions. Any time you have questions or concerns, you should contact your assigned counselor or other staff within your unit.

Once the classification/diagnostic process is completed, you will be transferred to your assigned institution. Once you arrive at your assigned location, you will receive additional information more specific to that institution.

Derrick D. Schofield
Commissioner

December 2014

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C. ORIENTATION/CLASSIFICATIONPROCEDURES/INSTITUTIONAL TRANSFERS

(Policies #401.04, #401.05, #401.06, #401.08)

Following your admission to the diagnostic (reception) center, the staff will complete various identification procedures required by policy. This includes interviewing you regarding personal information related to your criminal conviction, history, other periods of incarceration, and/or any outstanding charges. You will be fingerprinted and photographed. It is essential that you be honest in your responses. If you are not, this could create problems concerning your level of custody and sentence credits you may earn.

Your commitment papers will be forwarded to Sentence Computation Services, where your release dates will be calculated. Once this is accomplished, you will receive a copy of the information quarterly.

During the orientation/diagnostic process, you will receive various evaluations which will provide staff with information concerning your physical and mental health, work and training experience, educational background, religious affiliation, and family background. You will complete certain written tests for some of the evaluations. It is in your best interest to complete them carefully and honestly.

When all the information is gathered, your assigned counselor will recommend work, programs (educational or vocational), institution, and custody assignments in preparation for the classification hearing that you will attend. Your participation in the diagnostic classification hearing is important. If you have any questions during the hearings, you should ask the counselor or the panel members.

One of the most important elements of the classification is custody, which is the level of supervision that appears appropriate for you. The custody assessment scale rates your past criminal convictions, conduct, escapes, and detainers to determine custody level. If you maintain a record without disciplinary infractions, you have the opportunity to be given consideration for lower custody, which may affect the amount of sentence reduction credits you earn. On the other hand, if you have disciplinary infractions and are found guilty, you may cause your custody rating to increase. This may also affect the amount of sentence credits you earn. In addition, institutional placements are directly related to custody ratings. For example, in order to be considered for placement in any minimum security facility, your custody rating score must be in the minimum range.

Following completion of the initial classification process at the diagnostic center and approval of the recommendations which have been made, you will be scheduled for transfer to your assigned facility. Thereafter, your status will be reviewed for changes in classification ("reclassification") at least every 12 months. Informal reviews of programs may be conducted more often if you request this through your counselor, or as circumstances dictate.

There is one level of appeal for a final classification decision, and you have 45 days within which to send the appeal. If the classification is signed by institutional staff other than the Warden, the appeal must be sent to the Warden. If the Warden signs the final action, the appeal is sent to the Director of Classification at the TDOC Central Office.

Transfers may be determined necessary for programmatic assignment, health needs, institutional need, and population management. Transfers from one institution to another may occur during your period of incarceration.

If you are classified as close custody or are placed in Administrative Segregation (maximum custody), you will not be eligible for a parole grant hearing (other than your initial grant hearing) for as long as you remain in those levels. Following release from close custody, you must be in a lower level for one year to be considered eligible. You must be released from administrative segregation (maximum custody) for two years to be eligible for a parole grant hearing.

D. SENTENCE CREDITS, ADMINISTRATIVE PROCEDURES
(Policy #505.01)

Sentence credits are a privilege and not a right. They are earned through work and/or program participation or completion of educational or vocational programs, and by establishing acceptable behavior. Failure to receive Prisoner Sentence Reduction Credits is not grievable. There is one level of appeal to the Warden for denial of maximum program credits.

You may be eligible to receive Prisoner Sentence Reduction Credits in accordance with the following schedule:

1. Behavior credits for each month without a disciplinary conviction:
 - A. During the first calendar year of imprisonment, behavior credits at the rate of four days per month.
 - B. After the first calendar year of imprisonment, behavior credits at the rate of six days per month.
2. Regardless of the calendar year of imprisonment, inmates who participate in a full-time program may receive up to six program credits per month. The actual number of credits awarded each month will be determined by the program staff.
3. Regardless of the calendar year of imprisonment, all inmates classified as minimum custody will receive an additional two bonus behavior credits per month and two bonus program credits per month.
4. Effective July 1, 2006, eligible inmates may receive 60 days of educational credits for completion of an educational program or vocational program and passing certain requirements. This credit is only awarded one time no matter how many additional programs are completed. Eligibility requirements are set forth in Policies #117.02 and #117.03.
5. Persons assigned to paid part-time work, educational, or vocational programs are eligible to receive program credits at one-half the rate specified above.

You may not receive or may lose Prisoner Sentence Reduction Credits under the following conditions:

1. Behavior program and bonus credits may not be awarded for any month in which you are convicted of a Class A disciplinary offense.
2. Behavior and bonus behavior credits may not be awarded for any month in which you are convicted of any disciplinary offense except for verbal reprimands.
3. Behavior program and bonus credits may not be awarded in any month in which you are classified as maximum custody or are sentenced to punitive segregation.
4. You may lose sentence credits previously awarded for the commission of any major rule infraction designated as a Class "A" disciplinary offense. Sentence credits that can be taken include those earned while in TDOC custody, local custody, and educational credits.
5. Any inmate convicted of a disciplinary offense for refusing to provide blood for DNA testing will not be awarded behavior credits, including bonus behavior credits, each and every month until a specimen is provided.
6. Educational credits may not be earned or credited if you are classified maximum custody or are sentenced to punitive segregation at the time you are to be tested or certified in an educational or vocational program.

You may choose to be tested or certified when you are no longer maximum custody or in punitive segregation and credits can be received at that time.

You may choose to take the HiSet test or get certified while on maximum custody, but you will not be eligible for the educational credits.

7. Educational credits will not be awarded to any inmate who has ever been convicted of an offense that requires serving 85% of such sentence under TCA 40-35-501(i) or 100% of such sentence under TCA 39-13-523.

If you are incapable of performing an assigned program as a result of accidental injuries received while participating in the program performing tasks within the scope of your job duties, you may continue receiving program credits until the health services staff determines that you may return to a suitable program.

If you have been sentenced for an offense committed prior to December 11, 1985, you may be earning credit under a different law than Prisoner Sentence Reduction Credit. If you are earning credit under a different law, none of the above will apply to your sentence(s). You may need to contact your counselor to assist you in understanding how your sentences are affected by the credit type you may be eligible to earn.

If you wish to challenge (through the Uniform Administrative Procedure Act) the correctness of your sentence reduction credits history through TDOC Administrative Procedures, you must do so within one year of the alleged error date.

Prior to going through Administrative Procedures to resolve concerns or issues with sentence reduction credits or any other sentencing matters, you must first attempt to resolve the situation at the institutional level.

1. Submit your inquiry to your counselor on a Form CR-3118 Inmate Inquiry or Information Request. These forms are available in the counselor's office.
2. If your counselor is unable to resolve the situation, request that the inquiry be forwarded by the counselor to the institution's Record Office personnel to address the problem.
3. If the Record Office personnel cannot resolve the problem, request that the inquiry be forwarded by the institution Record Office personnel to Sentence Information Services (SIS) for a reply.

If the above procedures prove unsuccessful, then you may submit to the Office of the General Counsel verifying documentation, including the fully completed CR-3118 Inmate Inquiry or Information Request, along with a petition for declaratory order. Petitions received in this office without verifying documentation will not be reviewed.

E. PRISON RAPE ELIMINATION ACT (PREA) & INMATE/STAFF MISCONDUCT

It is the policy of the TDOC to provide a safe, humane, and appropriately secure environment, free from threat of sexual abuse and sexual harassment for all inmates, by maintaining a program of prevention, detection, response, investigation, and tracking of all alleged and substantiated sexual assaults. TDOC has zero tolerance for incidences of sexual abuse and sexual harassment within the facilities.

Inmates who have information involving PREA activity of any type may report this information by leaving a voice message using the Inmate Telephone System (ITS). To leave a message using the ITS, dial "1" for English when prompted, then dial "*9222#" and record your message. The ITS system will not identify you by PIN number, and you may remain anonymous.

Sexual assault and sexual harassment will not be tolerated and those who engage in such conduct will be dealt with appropriately, including use of the disciplinary process as well as referral for criminal prosecution. Incidents of sexual assault shall be reported to any staff member up to and including the Warden or the designated Prison Rape Elimination Act (PREA) coordinator.

Following a report of sexual abuse/sexual harassment the Department shall monitor the conduct and treatment of inmates who reported the sexual abuse/sexual harassment and of inmates who were reported to have suffered sexual abuse/sexual harassment for any changes that may suggest possible retaliation.

Inmates who enter TDOC as sex offenders or inmates identified as sexual Aggressors will be advised of the sex offender treatment/programming eligibility requirements by the counseling or mental health staff.

Staff/Inmate Misconduct: No relationship is permitted between an offender and a staff member other than a strictly professional relationship. Fraternization, business transactions, favors, contraband, social associations, romance, and friendships are prohibited. Inmates who have information involving criminal activity of any type may report this information by leaving a voice message using the Inmate Telephone System (ITS). To leave a message using the ITS, dial "1" for English when prompted, then dial "*9111#" and record your message. The ITS system will not identify you by PIN number, and you may remain anonymous.

Sexual abuse/sexual harassment will not be tolerated and those who engage in such conduct will be dealt with appropriately, including use of the disciplinary process as well as referral for criminal prosecution. Incidents of sexual abuse/sexual harassment shall be reported to any staff member up to and including the Warden or the designated Prison Rape Elimination Act (PREA) coordinator. Sexual contact of any nature between an offender and a staff member is prohibited and punishable by Tennessee law and TDOC policy. A sexual relationship between an offender and a TDOC employee is never consensual and is always unacceptable. TDOC has zero tolerance for incidences of sexual abuse/sexual harassment within its facilities.

Individuals wishing to report criminal activity in writing may direct correspondence to Director of Investigations and Compliance, 100 Bomar Boulevard, Nashville, TN 37209.

Sexual misconduct includes but is not limited to the following

- | | | | |
|---|--------------------------------|---|--------------------------------------|
| ? | Sexual intercourse or oral sex | ? | Conversations or correspondence |
| ? | Sexual abuse, harassment, or | | of a romantic or sexual nature |
| | obscenity | ? | Any behavior intended for the |
| ? | Contact of a sexual nature | | sexual gratification of the subject. |
| | including kissing or touching | | |

F. DISCIPLINARY PROCEDURES/PROHIBITED ACT

(Policy #502.01, #502.05)

The purpose of the disciplinary procedure is to provide for the fair and impartial determination of all disciplinary charges placed against inmates.

Disciplinary Procedures

1. The disciplinary offenses defined on page 4 are classified as either Class A (most serious), B, or C (least serious).
2. At the Department's discretion, Class A and B disciplinary offenses may be referred to the District Attorney General for possible prosecution.

Punishment imposed for the commission of a disciplinary offense should be related to the seriousness of the offense and uniform in its application throughout the system. Disciplinary sanctions may include, but not be limited to, any of the following:

1. Verbal warning
2. Written warning
3. Restriction of privileges, i.e., visitation, package restrictions, loss of television, etc.
4. Punitive segregation
5. Referral to the District Attorney General for criminal prosecution
6. Recommendation for reclassification to higher custody level
7. Loss of sentence credits
8. Reduction in pay scale
9. In all cases in which an inmate is found guilty or pleads guilty to a disciplinary offense, in addition to any other punishment imposed, the offender may be assessed a fee according to the following schedule with the exception of Class C offenses, which may be assessed only after three Class C convictions in a 30-day period:
 - a. Class A offense - \$5.00
 - b. Class B offense - \$4.00
 - c. Class C offense - \$3.00
10. Recommend termination of assignment (job/class/program)
11. Any combination of the above
12. Certain informal disciplinary sanctions may be agreed upon by employees observing infraction and inmate when the infraction is a non-violent Class C offense.

When an employee observes a violation of institutional regulations, he/she will take corrective action. Depending on the seriousness of the violation, the employee's action may be:

1. To verbally reprimand, advise, or counsel with the inmate in an attempt to prevent a further occurrence of the violation.
2. To offer the offending inmate a disciplinary sanction in lieu of initiating a formal charge when the infraction is any non-violent Class C offense. Should you not agree to accept the sanction, the staff member will formally charge the alleged infraction, and proceed through the formal disciplinary process. Should you agree to accept the sanction, the staff member will notify the shift supervisor/unit manager, and form CR-3172 will be completed and processed for record-keeping purposes. There will not be an official record of the infraction maintained in your institutional record.

Sanctions imposed under this process are limited to privilege restrictions and extra duty and may not exceed three days' duration. If you fail to perform these extra duties in a satisfactory manner, the reporting employee will initiate a write-up on the original charge and refer the matter to the disciplinary

committee.

3. To initiate formal disciplinary action.

In the event you are charged in a disciplinary report, you will be afforded the opportunity to select an inmate or staff advisor to help in the preparation and defense of your case. You and the advisor will appear before the disciplinary panel or hearing officer. Each disciplinary hearing for Class A or B offenses (where accumulated sentence credits may potentially be removed) shall be conducted before a panel of at least three board members; one hearing officer may conduct the proceedings for all other Class B and C infractions. You and your advisor will present your version of the incident for which you were issued the disciplinary report. The staff member issuing the report may give his/her version. After hearing all the evidence, the panel or hearing officer decides whether or not you are guilty of the institutional rule infraction. If judged guilty, the panel or hearing officer will impose punishment based on the seriousness of the infraction. (See Policy # 502.02.) If judged not guilty, the disciplinary report will be removed from your record. You may appeal all guilty findings for which you plead not guilty to the institutional Warden, and all Warden decisions in cases in which you plead not guilty when the conviction results in the taking of accumulated sentence credits may be appealed to the Commissioner/designee.

Prohibited acts are defined as acts of inmate conduct which are unacceptable and have a direct, adverse effect on an inmate or on good order within the institution. Prohibited acts result in disciplinary actions.

Disciplinary offenses are divided into the following categories:

1. Abuse of Telephone Privileges (Class B or C): Making unauthorized use of telephone, abusing equipment, or violating any other written directive relating to inmate telephone use.
2. Arson (Class A): An act committed by any inmate who willfully and maliciously sets fire to or burns, causes to be burned, or who aids, counsels, or procures the burning of any personal property, any house, building, or other structure, or the property of him/her or another.
3. Assault, Assault on Staff (Class A): Any willful attempt to inflict injury upon the person of another when coupled with an apparent present ability to do so.
4. Attempted Escape (Class A): To attempt to flee or abscond from direct or indirect custody or supervision of the TDOC.
5. Attempt to Intimidate Employee (Class B): Attempting to compel an employee to perform or fail to perform some action, either by implicit or explicit threat.
6. Attempted Suicide (Class B): Situation in which an individual has performed an actual or seemingly life-threatening behavior with the intent of jeopardizing his/her life or presenting the appearance of such intent, but which has not resulted in death.
7. Burglary (Class B): The breaking and/or entering into a building, room(s), or storage area therein used and/or occupied by any person(s), or institutional areas specifically secured from or forbidden to inmates.
8. Conspiracy to Violate State Law (Class A or B): Two or more persons, each having the culpable mental state required for the offense which is the object of the conspiracy and each acting for the purpose of promoting or facilitating the commission of a State criminal offense, agreeing that one or more of them will engage in conduct which constitutes such offense. If a person guilty of conspiracy knows that another with whom the person conspired to commit a criminal offense has conspired with one or more other persons to commit the same offense, the person is guilty of conspiring with such other person or persons, whether or not their identity is known, to commit such offense. The State

law and TCA code violated shall be cited in the incident report.

9. Contraband (Class B or C): To have, own, gain, or maintain control of items(s) which are either prohibited or not specifically authorized by Departmental or institutional policy. Any such item(s) found in a cell or room is presumed to be in the possession of all occupants of that living space.
10. Creating a Disturbance (Class B or C): To organize, encourage, promote, or participate in an institutional disturbance in which control of inmates is temporarily lost, or to disturb the peace of others by violent, profane, indecent, offensive, or boisterous conduct or language.
11. Destruction of State Property (Class B): Willful abuse and/or destruction of State-owned property.
12. Destruction of Personal Property (Class B): Willful abuse and/or destruction of the personal property of another.
13. Disrespect (Class B or C): Any act, whether spoken, visual, or written, which would tend to degrade a particular person or position.
14. Dress Code Violation (Class C): Failure to properly wear prescribed clothing in designated areas or in the manner mandated by TDOC policy.
15. Drug Paraphernalia (Class B or C): Any objects found of any kind which are used, intended for use, or designed for use in injecting, inhaling, ingesting, or otherwise introducing drugs into the human body. Such items include, but are not limited to, pipes, tubes, cans, needles, etc.
16. Drugs - Possession (Class A or B): To have, own, gain, or maintain control over illegal drugs or unauthorized medications, including narcotics, hallucinogens, opiates, barbiturates, stimulants, marijuana, or medications in a manner not prescribed by a physician or dentist. Any such item found in a cell or room is presumed to be in the possession of all the occupants of that housing space.
17. Drugs - Selling (Class A): To sell or exchange illegal, prescription, or any unauthorized drugs.
18. Escape (Class A): To flee or abscond from direct or indirect custody or supervision of the TDOC.
19. Extortion (Class B): To either verbally, or by written or printed communication, maliciously threaten to accuse another of a crime, offense, or immoral act; to do any injury to the person, reputation, or property of another with intent thereby to obtain any money, property, or pecuniary advantage whatever, or to compel the person so threatened to do any act against his/her will.
20. Failure to Report as Scheduled (Class C): Failure to be at a designated area at the prescribed time.
21. Failure to Return from Pass/Furlough (Class B): Failure to return at the designated time from a furlough or program/appointment pass.
22. Falsifying, Altering, or Forging an Official Document (Class B or C): Changing, modifying, or altering the writing of others, or the fraudulent making of any writing. This includes falsifying documents such as passes, ID cards, letters, etc.
23. Failure to Turn in Earnings (Class B): The failure of inmates assigned to work release to deliver their salaries or other income to the institution.
24. Fighting (Class B or C): A physical altercation between two or more persons without weapons. This offense may be categorized as Class B or Class C at the discretion of the disciplinary board.
25. Flooding Walk or Cell (Class B or C): Deliberately causing unit walk or cell to become flooded with

water.

26. Furlough Violation (Class B): Failure to adhere to rules and regulations governing conduct during a period of authorized absence from the facility.
27. Gambling/Gaming (Class C): The act of wagering items of value in a game of chance.
28. Homicide (Class A): Inflicting deadly assault upon a person.
29. Horseplay (Class C): Rough frolicking, not to the point of fighting.
30. In an Unauthorized Location (Class B or C): Being in a restricted or prohibited place; being away without authorization from assigned work/program area outside of the institution's immediate area, when the preponderance of evidence does not indicate an attempt to escape. This offense may be categorized as Class B or Class C at the discretion of the disciplinary board.
31. Indecent Exposure (Class B or C): The deliberate exposure in front of another person of the breasts, genitals, or buttocks in a manner intended to excite, embarrass, or threaten that person.
32. Inhalants (Class B): To have, own, gain, or maintain control over any material capable of causing an intoxicated state by inhalation of the substance or its fumes, including solvents, duplicating fluid, aerosols, correction fluid, glue, and other volatile substances. Any such item(s) found in a cell or room is presumed to be in the possession of all of the occupants of that housing space.
33. Interference with Officer Duties (Class B or C): To impede, obstruct, or interfere with staff in discharging their duties.
34. Intoxicants - Possession (Class A or B): To have, own, gain, or maintain control over alcoholic beverages. Any such item found in a cell or room is presumed to be in the possession of all the occupants of that housing space.
35. Intoxicants - Selling (Class B): To sell or exchange alcoholic beverages or inhalants for money or its equivalent.
36. Intoxicants - Use (Class B): Use of alcoholic products or misuse of drugs causing an alteration of one's physical or mental state, commonly termed "under the influence."
37. Introduction of Tobacco (Class B): To introduce or attempt to introduce tobacco or related products into a correctional facility.
38. Larceny (Class B): The unauthorized taking, receiving, or carrying away of State property or the personal goods of another person.
39. Late Returning (Class B or C): The failure to return to a specific place at the appointed time after authorized attendance at a job, school, training program, or appointment. This offense may be categorized as Class B or Class C at the discretion of the disciplinary board.
40. Littering (Class C): Carelessly or deliberately discarding materials in unauthorized areas.
41. Mutilation (Class B or C): To cut, stab, rip, tattoo, burn, or otherwise damage a particular portion of the body by self-inflicted means.
42. No TDOC ID Card on Person (Class C): Failure to maintain ID card in one's immediate possession.
43. No TDOC ID on Clothing, (Class C): Failure to mark or maintain proper TDOC identification on

clothing.

44. Operating Unauthorized Vehicle (Class B or C): The operation of any vehicle, either State or private, without written permission.
45. Out of Place (Class C): Being present in an area not governed by general call-out without either written or verbal permission.
46. Participating in a Riot (Class A): To organize, promote, encourage, or directly take part in an institutional disturbance involving an assemblage of several persons which, by uproar and violent conduct, creates grave danger of substantial damage to property or serious bodily injury to persons.
47. Participation in Security Threat Group Activities (Class A): To organize, promote, encourage, or directly participate in a security threat group or security threat group activity.
48. Pending Investigation (No disciplinary class designation used): Designation to be used when an inmate is suspected of a Class A or Class B infraction and the senior security officer determines that the inmate should be held in segregation pending investigation.
49. Personal Property Violation (Class B or C): Possession of personal property in violation of TDOC and/or institutional policy (i.e., over six cubic feet of property; items not allowed by the Commissioner's property list; appliances with no TDOC identification number, a defaced or altered number, or another inmate's number, etc.).
50. Positive Drug Screen (Class B): A positive test result for one or more categories of drugs of abuse.
51. Possession of a Deadly Weapon (Class A): To have, own, gain, or maintain control over any object likely to cause serious injury or death. Any such object found in a cell or room is presumed to be in the possession of all the occupants of that housing space.
52. Possession of Free-World Money (Class B or C): To have, own, have control of, or attempt to bring unauthorized free-world money into an institution.
53. Possession/Use of a Cellular Telephone (Class B): To have, own, gain, use or maintain control of a cellular telephone or any device which allows unauthorized/unmonitored two-way communication. Any such item found in a cell or room is presumed to be in the possession of all occupants of that housing space.
54. Possession/Use of Tobacco Products Offender (PTO) (Class B or C): To have, own, control of, or use cigarettes, pipes, pipe tobacco, tobacco substitutes, chewing tobacco, snuff, matches, cigarette lighters, smoking paraphernalia, and other items developed or processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-related products. Any such object found in a cell or room is presumed to be in possession of all the occupants of that housing space.
55. Possession of Security Threat Group Materials (Class A): To have, own, gain, or maintain control over any material identified as affiliated with a security threat group that includes, but is not limited to items such as: publications which contain articles, illustrations or advertisements in known security threat group publications, documents of by-laws, ceremonial procedures, rosters, hit lists, memorandums, use of colors, hand signs, drawings, membership cards, certificates of rank, letters of introduction, or any other article or document specifically associated with security threat groups. A security threat group is defined as a group of individuals possessing common characteristics which serve to distinguish them from other individuals or groups who have been determined to be acting in concert, so as to pose a threat or potential threat to staff, other inmates, the institution, or the community.

56. Rape (Class A): The act of forcing or coercing (through violence or threats of violence) an individual to submit to sexual intercourse (vaginal or anal) or other sexual acts to include cunnilingus and fellatio. The sexual penetration or act is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration or sex act that the victim did not consent. It shall also include the sex act of forcibly introducing foreign objects into an individual's body cavity (vaginal or anal) without the victim's consent.
57. Receiving Two Food Trays (Class C): Obtaining additional trays of food by going through serving line more than one time or by other means.
58. Refusal to Adequately Participate in SAIU Program (Class A): Refusal to participate as directed, either by action or inaction, in the TDOC Special Alternative Incarceration Unit (boot camp program).
59. Refusal of Cell Assignment (Class B or C): Refusal to accept a cell assignment made by a TDOC employee.
60. Refusal of a Direct Order (Class C): The willful refusal to follow and carry out a specific, authorized, written or verbal directive.
61. Refusal of/or Attempt to Alter Test (Class B): Refusal to provide an adequate breath or urine sample for a drug or alcohol screen upon request, refusal to sign any chain of custody forms, or attempting to change or modify documents, urine, or blood content for the purpose of creating false negative test results.
62. Refusal to Participate (Class A): Refusal by any inmate to accept, report to, or adequately participate in any assigned work, educational, or vocational training program.
63. Refusing to Provide a DNA Specimen (Class A): Refusal by any inmate who has been convicted of a sex offense prior to July 1, 1998, or any inmate convicted of a felony offense on or after July 1, 1998, as outlined in TCA 40-35-321, to provide a DNA specimen when ordered to do so.
64. Sexual Harassment (Class B or C): Making sexually related comments, gestures, or written communication to another person.
65. Sexual Misconduct (Class B or C): Any sexual conduct involving an inmate, including those instances where the preponderance of evidence is indicative of a preparation for, or immediate conclusion of, such acts, including acts involving people, objects, or animals.
66. Solicitation of Staff (Class B): To ask for or seek a relationship with institutional or contract employees which extends beyond the normal inmate/employee interaction. This includes, but is not limited to, fraternization, business transactions, social association, romance, or friendship.
67. Staff/Inmate Provocation (Class B or C): To intentionally or knowingly cause physical contact with staff or another inmate that a reasonable person would regard as offensive, but which results in no injury.
68. Strong-Armed Activity (Class B): Intimidation or coercion of unwilling inmates to participate in any act.
69. Strong-Armed Robbery (Class A or B): The forcible taking of money or goods of any value from another person.

- 70. Tampering with Security Device or Equipment (Class A or B): Tampering with locking or other security device or equipment devices causing that device to malfunction or become inoperable.
- 71. Threatening Employee (Class B or C): A threat to an employee, whether verbal or physical, explicit or implied. This offense may be categorized as Class B or Class C at the discretion of the disciplinary board.
- 72. Threatening Offender (Class C): A threat to an inmate, whether verbal or physical, explicit or implied.
- 73. Tobacco Selling (Class B): To sell or exchange any tobacco or related product for money or its equivalent.
- 74. Unauthorized Financial Obligations/Transaction (Class B or C): The selling, borrowing, or lending of goods (whether monies or property) or services between inmates or between inmates and free-world persons. Entering into a financial obligation between inmates or between inmates and free-world people without the consent of the Warden.
- 75. Violation of TDOC/Institutional Policies (Class B or C): Failure to comply with written rules governing inmate behavior. This offense may be categorized as Class B or Class C at the discretion of the disciplinary board.
- 76. Violation of State Law (Class A or B): Any violation of TCA not specifically addressed in this policy.

NOTE: If you are convicted of any felony (except escape) committed while on work, educational, or restitution release, or other programs which allow the privilege of supervised release into the community, or while on furlough, you must serve the remainder of your sentence without participation in any such program. Also, understand that if you escape from any of these programs, the TDOC has the authority to penalize or punish you in accordance with TDOC Policies #502.01 and #502.05 and TCA 40-28-123(b) (1).

G. INMATE RIGHTS AND RESPONSIBILITIES/TITLE VI/GRIEVANCES

(Policies #103.10, #118.01, #501.01, #501.02, #507.02)

We believe that within required security restrictions, inmates of the TDOC have certain rights and certain responsibilities.

1. You have the right to be treated respectfully, impartially, and fairly by all TDOC personnel. You have the responsibility to treat other people as you expect to be treated.
2. You have the right to be informed of the rules, procedures, programs, and normal schedules concerning the operation of the institution. You have the responsibility to obey them. You will have access to all institutional programs and services available for your custody level without regard to race, religion, color, national origin, political views, or disability. The TDOC does not discriminate in any aspect of its supervision of inmates relative to the above factors.
3. You have the right to freedom of religious affiliation and voluntary religious worship within the schedule of facility operation. You have the responsibility to choose that which you perceive helpful to you.
4. You have the right to healthcare, food, clothing, personal hygiene needs, exercise, and housing. You have the responsibility not to abuse these rights.
5. You have the privilege to visit and correspond with family members and friends. You may also correspond with members of the news media in keeping with the facility rules and schedules. You have the right to uncensored and uninspected outgoing correspondence through the prison mail system except under conditions noted in Policy #507.02. All incoming mail and correspondence, excluding privileged mail, may be opened and read by staff. Privileged mail may be opened by staff members in the presence of the inmate in order to examine the contents for contraband.
6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending cases, and conditions of your imprisonment). You have the responsibility to not abuse this right.
7. You have the right of access to legal counsel from an attorney of your choice by interview and correspondence. You have the responsibility to not abuse this right.
8. You have the right to be provided with certain resources for legal access to the courts, the claims commission, and legal counsel without reprisal or penalty. You have the responsibility to use the resources properly.
9. You have the right to unrestricted correspondence with the Commissioner of Correction and/or his/her staff. Correspondence with the Commissioner's office will be through the U.S. mail system, and you are required to provide necessary postage.

TITLE VI

Title VI of the Civil Rights Act of 1964 states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Tennessee Department of Correction requires that its services be offered to all eligible persons regardless of race, color, or national origin. Prohibited practices include:

- ◆ Denying or failing to provide services or provide inferior, separate, or different services to individuals based on race, color, or national origin.
- ◆ Segregating or restricting individuals in any way related to the receipt of services or benefits on the basis of race, color, or national origin.
- ◆ Requiring different standards or conditions for acceptance into programs based on race, color, or national origin.
- ◆ Permitting discriminatory activity on the basis of race, color, or national origin.

Should you feel you have experienced discrimination, the following avenues are available to address your concern:

- ◆ Offenders in TDOC custody should use the established inmate grievance process (Policy #501.01). All Title VI complaints must be filed within 180 days of the occurrence of an alleged discriminatory act. Only one subject or incident will be addressed in a grievance. All copies of the form must be legible and intact. Use of the TDOC grievance procedure is not a prerequisite to the pursuit of other remedies.
- ◆ Visitors and other individuals shall submit details of alleged violations via letter or direct communication to the respective Title VI Site Coordinator. There are no special forms required to file a Title VI complaint.
- ◆ Any individual may file a Title VI complaint with the below listed entities. It is preferable, but not required that complaints be registered at the local level first to expedite complaint investigation and resolution.

Tennessee Human Rights Commission
Office of Title VI Compliance Program
312 Rosa L. Parks Ave. 23rd Floor
Nashville Tennessee 37243-1102
Phone: 615-741-5825 or Fax: 615-253-1886

U. S. Department of Justice
Civil Rights Division
Federal Coordination and Compliance
Section, NWB
950 Pennsylvania Avenue, N.W.
Washington, D C 20530
888 -848-5306 (Toll-free voice)

GRIEVANCES

An impartial panel composed of inmates and staff is available at each institution to consider any complaints received by an inmate who feels that the substance or application of written/unwritten policy/practice or any behavior or action toward an inmate by staff or other inmates should be redressed.

It is the Department's desire that these grievances be resolved in an expeditious manner at the lowest possible level in the Department. Forms are available at designated locations within each institution.

Should you not achieve a satisfactory resolution, you will be advised of your appeal rights.

Information explaining the filing and processing of grievances, and those subjects which are inappropriate for addressing through the grievance procedure, is contained in the grievance policy and handbook. A copy of Policy #501.01, Grievance Procedures and the corresponding handbook are available for review in the institutional library.

H. CLINICAL SERVICES/GROOMING AND HYGIENE STANDARDS

(Policies #113.30, #113.52, and #502.03)

Access to Health Services and Treatment Programs: The TDOC ensures that medically necessary health, dental, substance use, and mental health services are accessible to every offender in our custody. All correctional facilities have a health clinic that offers the basic medical services. More advanced medical services, including emergency services, hospitalization and specialty care, are provided through a variety of community providers, specialists, and hospitals.

Shortly after your admission to the TDOC, you will be given a number of assessments, examinations and screenings designed to evaluate your health and mental health needs. During this classification period, staff will establish your health record, screen and test for chronic and communicable diseases and conditions requiring treatment, and collect a blood specimen to comply with DNA statutory requirements when applicable. In addition, a full Psychiatric Intake Evaluation will be completed on inmates who demonstrate a clinical need.

You should access health services by signing up for sick call. Sick call is the appropriate means to present your health and mental health concerns to a health professional. The health professional will provide an initial assessment of your complaint, administer the necessary care, and may refer you for further evaluation, assessment, treatment, education and/or counseling. When you sign up for sick call, this is considered a “self-referral” and you will be charged a \$3.00 medical co-payment. Exams and procedures mandated or requested by the TDOC do not result in a co-payment charge. Sick call procedures specific to your assigned institution will be explained during your institutional orientation.

You should immediately report health or mental health emergencies to any employee for immediate assistance.

Privacy of Your Health Information: Your medical and mental health treatment records are generally made private by State law. As a general rule, we will not share information about your health with anyone else without your permission. In some cases, however, we may be required to give out your health information without your permission. (See Policy #113.52) These may include:

- ◆ Obedience to subpoenas and court orders
- ◆ When necessary to transfer you to another TDOC facility
- ◆ For probation and parole review
- ◆ Disclosure to the Attorney General or designee pursuant to claims against the State
- ◆ For required disease reporting to State health authorities
- ◆ When necessary for emergency care or to address safety and security risks
- ◆ When necessary for conducting Internal Affairs investigations
- ◆ For the purpose of official audits and inspections

You may give written authorization for healthcare providers or legal representatives who have a business/or clinical need for your private healthcare information.

Advance Directive for Healthcare: An advance directive is a legal document that allows you to say, ahead of time, what healthcare services you do or do not want, in the event that you can no longer make a decision for yourself. You can also appoint someone else who will be authorized to make healthcare decisions for you if you cannot. You should discuss the use of these directives with your physician or primary care provider. You may obtain standard forms to make an advance directive from the facility’s health clinic.

GROOMING AND HYGIENE STANDARDS

Inmates are permitted considerable freedom in personal grooming and dress as long as their appearance does not conflict with the institution's requirements for safety, security, identification, and hygiene.

The Department will provide you with the proper opportunity for personal cleanliness and grooming. All inmates will be provided clothing, which will be laundered regularly and maintained in a good state of repair. Basic barber or beautician services will be provided without cost as needed. Hair shall be groomed and kept clean. Forcible cutting or trimming of hair shall not be done except upon orders of a physician for health reasons. Wigs and weaves are not permitted. There is not a standard hair length or style required; however, hair styles, including facial hair, which identify inmates as security threat group members are prohibited. If an inmate drastically changes appearances by changing the length or color of hair or shaving or growing a beard and/or mustache, re-photographing will be required for identification purposes. There will be a fee charged to the inmate for this. Inmates shall be required to conform to the dress code of the institution to which they are assigned. Dress code regulations are dictated by Departmental policy. No inmate shall be permitted to dress in or imitate the unique clothing of the opposite sex, nor shall females be permitted to cultivate or attach beards or mustaches, and males shall not be permitted to wear cosmetic makeup substances. Inmates having a diagnosis of Gender Dysphoria shall be governed by TDOC Policy #113.37.

Each inmate shall be responsible for keeping his/her own living area clean and in good order as dictated by each institution.

I. PACKAGES, PERSONAL PROPERTY, AND MAIL/TELEPHONE PROCEDURES

(Policy #504.01, #507.02)

Inmates within the TDOC are permitted to have items of personal property as allowed by a standardized list published by the Department. Each Warden may further restrict this list according to the institution's individual security or treatment requirements. Tobacco products are prohibited in all TDOC institutions.

The total amount of property you may have in your possession shall not exceed six cubic feet. Televisions, fans, prescribed medical equipment, legal materials (does not include personal law books and reference materials), linens (State issue), and approved musical instruments (does not include radios) are excluded from the six cubic feet limitation. Inmates received after August 1, 1998, are allowed to possess only those items in Policy #504.01.

If you are temporarily transferred between institutions for medical reasons, court appearances, psychological evaluations, etc., you may only take clothing, personal hygiene articles, and legal materials (of active/current case). Upon parole or discharge from TDOC, your personal property must be removed from the institution. Property of escapees shall be held for no more than 30 days, unless it is related to a continued law enforcement investigation. The inmate's family or other designee will be notified to make arrangements to retrieve the inmate's personal property, or the property will be disposed of at the end of the authorized storage period.

Packages may be received periodically through the mail room as outlined in Policy #507.02. Items that may be included in packages and possessed by inmates are listed in a memorandum published annually by the Commissioner's office. A copy of that memorandum is available for your review in the institution's library.

The number of packages which an inmate may receive is determined by the inmate's custody designation.

- a. Inmates classified as maximum or close custody may receive no more than one package every six months. The Commissioner will designate the number of package(s) allowed in December. Wardens may designate months to level work load or staff.
- b. Inmates classified as medium or minimum custody may receive no more than one package every three months. The Commissioner will designate the number of package(s) allowed in December.
- c. Inmates that are confined to a reception (Diagnostic) center in excess of ninety days and are awaiting transfer shall be allowed to order an approved package containing only a television, socks, and underwear, provided they are otherwise eligible to receive packages.

Inmates convicted of Class A, B, and C disciplinary offenses for drug related charges shall not be eligible to receive any packages, except for certain clothing items as outlined in Policy #507.02, for a specified number of consecutive months.

You are required to utilize earphones at all times when using audio visual equipment; i.e., televisions, radios, etc.

You are required to have your identification card in your possession at all times.

Personal property may not be sold, given, or transferred to another inmate. The Warden may permit inmates to transfer items to other inmates if they are verified immediate family members.

Copies of the above-referenced policies are available to you in the institutional library.

All packages and correspondence by an inmate must include the TDOC number in the address.

All inmates are strongly encouraged to visit the library at their facility and read Policies #504.01 and #507.02, as well as the latest memorandum issued by the Commissioner of the Department of Correction, before ordering or advising family members to order items to be maintained at the facility.

Mail Procedures: Inmates may exchange mail, other than packages, with any person and in any language including Braille provided that it does not jeopardize the safety, security, or operation of the institution or the safety of persons within or outside the institution. All incoming mail, excluding privileged mail, will be opened, inspected and may be read by staff. Incoming privileged mail shall be opened only by a staff member in the presence of the inmate addressee in order to examine the contents for contraband, then documented. Any mail which has papers which are bound together by metal clips shall be disassembled by removing the metal clip. The staff members shall not read the privileged mail or listen to legal tapes unless the Warden has, on the basis of reasonable suspicion, determined that privileged mail or tapes may contain information relating to criminal activity. The privileged mail/tape may be read or listened to outside the presence of the inmate if doing so is necessary to avoid compromising an ongoing criminal investigation.

Attempting to introduce contraband into the institution through the mail system may result in disciplinary action and/or referral to an outside court for additional charges. Inmates are responsible for the contents of their outgoing mail. Outgoing mail, excluding privileged mail unless authorized by the Deputy Commissioner of Operations, may be opened for inspection upon an order from the Warden.

Telephone Procedures: Inmates will be provided with reasonable telephone access. Inmates will be allowed to specify up to ten numbers for family, friends, etc. on their telephone list. Business telephone numbers, and toll-free numbers, are not permitted. Inmates will have access to any attorney on the database populated from the Tennessee Attorney's directory. Inmates with out-of-state attorneys should submit a CR-3118 Inmate Inquiry or Information Request form to a member of the unit staff requesting the out-of-state attorneys number be added to their approved list. Inmates may make collect calls or debit calls from a telephone trust fund account that may be established by the inmate. All telephone calls will be limited to 30 minutes. All telephone calls, with the exception of those made to attorneys, are subject to monitoring. Refer to Policy #503.08.

J. TRUST FUND ACCOUNTS/COMMISSARY

(Policy #208.01)

Each inmate shall deposit all monies in his/her possession with the trust fund custodian, except monies allowed by policy. All unauthorized currency found in your possession will be confiscated and disposed of under appropriate law. It is not necessary for the inmate to endorse a certified check or money order prior to deposit in the trust fund account. Withdrawals, other than those mandated by policy or statute, shall be requested in writing by the inmate. Cash monies, **money orders** and personal checks sent directly to the facility are not allowed, and will be returned to sender.

The Tennessee Department of Correction has partnered with a contract vendor to facilitate offender trust fund account deposits. Money may be deposited into offender accounts at all TDOC and CCA facilities. The contract vendor provides several ways to send money to an inmate. Money may be sent through the vendor and is deposited electronically into the inmate's trust fund account, which they can then use to purchase items from the commissary and pay other expenses. The fastest way to send money is to visit the vendor's website that outlines associated fees. You can also send money over the phone, at walk-in cash locations, or via money order. Sending money orders to the contracted vendor is a free option with no associated fees. The current vendor is Jpay and they can be reached at (800) 574-5729 or by accessing their website at www.jpay.com.

When an inmate is discharged, the fiscal officer or designee shall use the approved vendor system to load the balance of the inmate's trust fund account (See Policy #511.03) to a release card after deducting any and all outstanding obligations. The inmate will be provided with a list of locations, including an ATM site, that will not charge a fee in order to receive cash from the release card.

If an inmate is on escape status for more than six months, the inmate's funds will be transferred to the unclaimed property organization account.

You may open and maintain outside personal savings accounts or legitimate investments in accordance with applicable policy. Prior approval from the Warden must be obtained.

You may purchase telephone credits that allow debit calls (excluding Hardeman County Correctional Facility and Whiteville Correctional Facility) in accordance with the applicable policy.

COMMISSARY

A store is operated by institutional staff from which you can purchase personal care items and certain food items. Items available from the commissary are in quantities listed on the approved list published periodically by the institution where you are assigned. All transactions are processed through your trust fund account in the institution's business office.

K. VISITATION

(Policy #507.01)

TDOC supports visitation as a part of the overall rehabilitation process and encourages positive involvement with the family. Eligible inmates shall be allowed visitation privileges within the following guidelines. Inmates in an SAIU, Technical Violator, Special Management Unit (SMU) or Security Threat Group (STG) programs are permitted visitation privileges under more restrictive arrangements as specified in the institutional policy as sanctioned by TDOC. TDOC recognizes the importance of contact with your family and friends. Therefore, each institution provides an area for social, legal, and religious visits to occur.

Except for attorneys and clergy, you may not receive visits from any individual unless he/she is on your approved visitation list. Members of your immediate family may be placed on your approved visitation list and, within security requirements and space limitations, a limited number of friends may also be included on your list. Visits may be contact, non-contact, or an outside visiting area as determined by the Warden and his/her staff. The development of a visiting list starts during your classification/diagnostic process and continues at the institution where you are permanently assigned.

Your visitors should ascertain the visiting hours and days and be on your approved list prior to coming to the institution to visit. Additionally, your visitors should know that they will be required to comply with all TDOC and/or institutional policies regarding personal conduct and dress code while on the grounds of the institution.

Visitors and all property will be searched prior to entering the institution. Visitors are not permitted to bring tobacco products into any institution. Such products may be brought onto state property if left in the visitor's vehicle. Drug Detector Dogs may be utilized to perform searches of visitor vehicles entering the grounds of the institution.

The Warden or his/her designee may terminate a visit at any time for violation of these departmental policies. Possession of alcohol, drugs, and/or weapons on the grounds of the facility is illegal, and anyone in possession of any one of these items are subject to be arrested and prosecuted. In all instances where inmates test positive for or are in possession of illegal drugs or alcohol, refuse to comply with a request for a drug screen, sell drugs, etc., in addition to appropriate disciplinary actions, the Warden shall modify the inmate's visiting privileges according to Policy #507.01.

L. ACTIVITIES

The TDOC believes that all inmates should have the opportunity to participate in a wide variety of activities approved by the institution. Not all activities are available at all institutions or to all inmates. Custody, classification, length of sentence, behavior, etc., may restrict participation.

Those activities include:

1. **Inmate Organizations:** Any group or club authorized to conduct business and/or social activities established by Departmental/institutional policies.
2. **Social Development Programs:** Planned, purposeful activities designed to promote the inmate's social adjustment and assist in resolving personal or interpersonal problems.
3. **Arts and Crafts:** Approved leisure time activities involving inmate's skills or talents in an organized hobby craft program.
4. **Inmate Council:** An elected group of inmates that meet regularly with Wardens and other institutional employees. The purpose of the council is to communicate suggestions and concerns from the inmate population to the Administration.
5. **Organized Recreation:** Leisure time programs available at each institution. Ball fields, gymnasiums, and unit recreation areas can be utilized. Activities such as martial arts/boxing, and wrestling are not approved recreational programs at any TDOC institution.

Your participation in available programs is encouraged.

M. REHABILITATIVE SERVICES

The Division of Rehabilitative Services is committed to providing programs and services that have been proven through research to reduce recidivism. Rehabilitative Services includes Educational and Vocational classes, Substance Use, Treatment and Programs, Volunteer Services, Victim Services/Victim Impact Programs, Religious Programming, and Reentry Services that includes counseling services, housing, offender workforce development, inmate jobs, and cognitive behavioral program.

Each offender will receive a risk/need assessment (LS/CMI) during initial classification. A transitional plan (TAP-BIG) will be developed based on the results of the LS/CMI. This plan will identify and prioritize the specific programming needs of each offender. When you leave the classification facility and are transferred to a time-building facility, you may be placed in recommended programs.

We encourage inmates to spend their incarcerated time wisely by participating in programs that will benefit them during their incarceration and as they re-enter society. The Department offers a variety of programs and services at our institutions, and TDOC staff will discuss program recommendations and options with each offender.

1. Inmate Programming (Jobs/Classes/Treatment Programs) (Policies #504.04, #505.07)

The TDOC requires all eligible inmates to be involved in work and/or educational classes or treatment programs when available. Assignments are not based on race, religion, national origin, sex, or political beliefs. Refusal to accept any assignment is a Class A disciplinary offense. You are not permitted to voluntarily withdraw/quit an assignment with a very few exceptions located in Policy #505.07. There are two assignment termination types; i.e., disciplinary and non-disciplinary dismissals or demotions. Sanctions are in place for those receiving disciplinary dismissal.

You may be awarded program sentence credits and earn pay by actively participating in assigned jobs, classes, and treatment programs. (See Section D for Sentence Credits). Pay rates vary and depend on the pay level and step in the pay level you have achieved. (See Policy #504.04) Some institutions have industrial and/or farm jobs as a part of Tennessee Rehabilitative Initiative in Correction (TRICOR), and pay rates for these jobs are different. Some procedures are in Policy #504.04, but most are included in TRICOR policies. Staff may complete a level of service/case management inventory (LS/CMI) on you and recommendations for classes and/or treatment programs will be made then. (See Section C, Orientation/Classification Procedures). The inmate job coordinator will place your name on the applicable registers.

A listing of jobs, classes, and treatment programs at each facility is maintained in the library. To apply for a job, complete a CR-3051 Request for Placement on Job Register and send to the institutional job coordinator. If the institutional job coordinator deems you eligible and the supervisor determines that you are qualified, your name will be added to the register. (Qualified means you have the skills to perform the job and eligible refers to categories such as custody level and educational level.) Inmate Job Coordinators can assign you to any job/class/treatment program they deem appropriate, even if you have not requested it. With a few exceptions, inmates whose records do not indicate a verified high school diploma or GED/HiSet diploma are not promoted above semi-skilled level jobs. This will affect the amount of money you will be paid.

Inmate Job Coordinators will use the registers to determine who will be assigned to the next available opening. Job registers will be sorted by who has been on the register the longest. Class and treatment program registers will follow an automated priority process that is based on the LS/CMI, length of sentence left to serve, and length of time it takes to complete the class or treatment program. If you request a class or treatment program that was not recommended on the TAP or TAP-BIG and the Inmate Job Coordinator does add your name to the register, you will probably be ranked below those with a TAP or TAP-BIG recommendation for that class or treatment program. Assignments to classes and treatment programs take precedent over an assignment to a job.

2. Access to Counseling and Treatment Services (Policies #113.95, #506.21, #508.04)

Each institution has a counseling program to assist the general inmate population. You will be assigned a counselor/case manager upon your arrival at the institution. This person will assist in the development and monitoring of your activities. Appropriate staff will be responsible for preparing reclassification recommendations, program plans, progress reports, and other reports necessary to properly monitor and facilitate your progress through the system.

As needed, counseling services will assist those inmates by making referrals to other available services

including, but not limited to, vocational/academic programs, work assignments, mental health, and substance abuse programs. Each institution has procedures designed to allow inmates access to program staff. Significant program staff contact should be maintained throughout your incarceration.

TDOC facilities offer substance use services. Substance use treatment personnel provide some type of treatment. There are currently three substance use treatment options.

1. Group Therapy – A three to six month low intensity program.
2. Therapeutic Community – A nine to 12 month high intensity program.
3. Pros-Social Life Skills-A six to 12 week program that focuses on Family/Marital, Leisure/Recreation, Companions, Procriminal Attitude, and Antisocial Pattern.

TDOC's substance use programs are based on the idea that the program participant is ultimately responsible for his or her recovery. Participants work closely with counselors to develop individual treatment goals and strategies. Treatment focuses on individual needs and does not have to be voluntary. Mandated treatment can result in longer stays in the program, which is associated with more successful treatment outcomes.

TDOC is committed to a policy of zero tolerance of inmate drug/alcohol use within state correctional facilities. All inmates incarcerated in a state-operated or state-funded correctional facility shall be subject to urinalysis testing at any time during their incarceration in accordance with Policy #506.21, *Inmate Drug/Alcohol Testing and Sanctions*. Inmates are expected to review policy to familiarize themselves with the requirements for urinalysis testing. This policy provides for nondiscrimination on the basis of race, religion, national origin, creed, sex, age, or physical disability. Inmates shall be subject to disciplinary action if not in compliance with the policy.

3. Education and Library Services (Policies #117.01 through #117.07, #509.01, #509.02, #509.03)

Education Services: Tennessee Department of Correction facilities offer both adult basic education (ABE) and high school equivalency test (HiSet) preparation programs. Inmates are given the opportunity to take the HiSet test after meeting the minimum requirements of the Official Practice Test (OPT). TDOC serves as a testing center for administering the HiSet test and adheres to the guidelines set forth by the HiSet Testing Service located in Princeton, NJ, the Tennessee Department of Labor and Workforce Development Adult Education Office, and the State HiSet Administrator. Many institutions also offer volunteer literacy programs.

Special Education Services are available to eligible inmates in accordance with the Tennessee Department of Education's "Special Education" guidelines.

Vocational programs, which provide class instruction and direct hands-on training, are offered at many facilities. Vocational programs follow a curriculum from the Tennessee Department of Education. In addition, they provide a Department of Education certificate to each inmate upon successful completion of skills mastered and the required hours of study. A select number of vocational programs also offer certification/apprenticeships from the U.S. Department of Labor. Inmates can also participate in college-level programs, including correspondence courses, if qualified. Such work is voluntary and is at the expense of the inmate. All correspondence courses shall be approved by the Warden/designee.

Library Services: Each facility is equipped with a leisure and law library, which is accessible 37.5 hours per week. Library services are available to all inmates including those on segregation status. Inmates also have access to both the Tennessee and Federal court systems through a variety of legal reference books and court

cases housed on the facilities computers. Notaries are available for a small fee to notarize legal documents. Also available are computers for legal research, typewriters, and copiers. In addition to the legal reference and leisure reading books, newspapers, popular magazines, reference books, and institutional policies are available. Institutions that contract for legal services are exempt from maintaining a law library.

4. Religious Programs

Inmates will be provided the opportunity to voluntarily participate in programs and activities in keeping with the beliefs and practices of their faith group. The chaplain and volunteers conduct services regularly according to a posted schedule. Special religious holidays are noted and observances by the various faith groups are encouraged. Chaplains are available to provide counseling to inmates in areas of religious concerns, personal matters, crisis or high anxiety situations and/or family problems upon request.

5. Volunteer Services

Volunteers have been involved in Tennessee prisons for over 100 years. While a large majority of volunteers provide religious services, they also serve as mentors, tutors, and facilitators of evidence-based programs. The TDOC offers numerous programs related to basic literacy, job training, family counseling, and religious activities.

6. Reentry Services/Counseling Services (Policies #511.06, 508.04)

Transition from incarceration to the community involves a combined effort from the inmate, his/her family, TDOC institutional and field services staff, and community services agencies. Offenders within 24 months of release are eligible for reentry programs and services. Counselors and IPPOs are available to assist with reentry services.

Reentry planning and programming is offered at each TDOC facility, as well as the three privately managed facilities. Each facility has a designated Reentry Counselor and Career Development Specialist to assist in reentry planning. Offenders within 24 months of release are eligible for reentry services, including the following:

- Assistance obtaining State Identification and Birth Certificate
- Assistance with benefits applications, including Veterans, supplemental security income, disability, Social Security, and Medicare/Medicaid
- Assistance with supportive housing resources and residency planning
- Employment planning

Career Management for Success/Release for Success (CMS/RFS) is a vocational program to prepare offenders for success in the workforce upon release. The curriculum for offenders includes, cognitive restructuring, social skills development, and development of problem solving skills. CMS/RFS is a three-month program that consists of a minimum of 330 to 360 hours.

The Chattanooga Release Center is a residential reentry program for women that include employment readiness, family reunification, life skills, Career Readiness Certificates, substance use aftercare, and victim impact. A primary goal of the program is to assist the offender in staying sober, finding housing, and gaining employment.

The Parole Technical Violator Diversion Program (PTVDP) is a six-month reentry treatment program for men. In partnership with the Board of Parole, the program allows for a violator to be revoked and re-paroled in the same action, allowing for release upon completion of the program that focuses on substance use treatment, errors in thinking, life skills, and transitional services.

7. Victim Services (Policy #103.81 and #511.02)

Victim Impact classes are offered to inmates in pre-release classes and in substance use programs. The classes address the physical, financial, emotional and social/spiritual impact from crime, toward the entire community (victims, inmate family, and community at large). The purpose of the class is to provide an opportunity for inmates to understand the impacts of crime, to increase their understanding of the “life sentence” received by victims of crime, and to take responsibility for their choices that led to incarceration.

The State of Tennessee legislatively provides for the right of legally identified victims of crime and their immediate families to be notified of any parole hearings, decisions, or release dates, including probation and parole dates, as well as any permanent transfer of an offender to an institution/complex with a lower security designation.

8. Parole

Parole is a conditional release from prison which allows you to serve the remainder of your sentence in the community. Parole is earned and is not automatic. The Board of Parole determines when or if you will be granted conditional release and placed under supervision of a Probation/Parole Officer.

Most hearings are held approximately four months prior to your release eligibility date (RED.) Parole hearings are open to the public. The victim and/or the victim’s family may attend or file a Victim Impact Statement. Your family and friends may meet with the Board on your behalf. At the hearing, Parole Board members or a Hearings Officer will review your case. The hearing official reviews the case and other documents pertinent to it, asks questions of you and interested parties in attendance and gives you an opportunity to speak. If a Hearings Officer is conducting the hearing, he/she will conclude the hearing by

making a non-binding recommendation to the Board. If the hearing official is a Board Member, he/she will

cast the first vote in the case. The file then goes to other Board Members, who review it and cast their votes in the case. The final decision is usually made within 30 days.

Once a decision is reached, you and interested parties are notified. There are two possible outcomes:

Parole Granted: You complete any programs ordered by the Board prior to release and submit a release plan through the Institutional Probation/Parole Officer (IPPO) for investigation and approval by the Probation/Parole Office located in the community where you plan to live. Once the release plan is approved, the parole certificate is issued and you are released on or after your release eligibility date to supervision by TDOC Probation/Parole Officers in the community. The IPPO will review your conditions of parole with you and give reporting instructions to you prior to your release.

Parole Denied: When parole is denied, it is for a period not to exceed six years. During this time, the Board may ask you to complete programs that may contribute to your success once you return to the community. The Board may also deny parole for the balance of your sentence, should it be less than six years.